

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Noriyuki Kasahara et al. Art Unit : 1633
Serial No. : 10/045,178 Examiner : Ilena Pope
Filed : January 11, 2002 Conf. No. : 7589
Title : GENE DELIVERY SYSTEM AND METHODS OF USE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 3.73(b) AND 1.321(b)

Pursuant to 37 C.F.R. § 3.73(b), UNIVERSITY OF SOUTHERN CALIFORNIA, a corporation, certifies that it is the assignee of the entire right, title, and interest in the above-referenced application by virtue of an assignment from the inventors of the above-referenced patent application. The assignment was recorded in the Patent and Trademark Office at Reel 01044, Frame 0471 on December 7, 1999, or a copy thereof is attached.

To the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 C.F.R. § 1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above-referenced application subsequent to the expiration date of U.S. Patent No. 6,899,871 provided that any patent granted on the above-referenced application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,899,871.

The assignee identified above does not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of U.S. Patent No. 6,899,871 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent No. 6,899,871.

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This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

The fee of \$65 pursuant to 37 C.F.R. § 1.20(d) is being paid concurrently on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: January 21, 2003

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